

REMARKS

In the Office Action mailed September 8, 2008 the Office noted that claims 1-16 were pending and rejected claims 1, 3, 7, 9, 10, 12, and 14-16 and objected to claim 5, all other claims being withdrawn. Claims 1, 10, 12, 14 and 15 have been amended, no claims have been canceled, and, thus, in view of the foregoing, claims 1-16 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claim 5 is allowable. The Applicants acknowledge the allowance of the claim and thank the Office for its consideration in examining claim 5.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular, the Office states that the title is not descriptive. The Applicant has amended the title to be more descriptive.

Withdrawal of the objection is respectfully requested.

CLAIM OBJECTION

Claims 1, 10, 12, 14 and 15 stand objected to for informalities. In particular, the Office asserts that the claims

contain antecedent basis problems.

The Applicants have amended the claims in conformity with the comments of the Office.

Withdrawal of the objections is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 1, 3, 7, 9, 10, 12 and 14-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sato, U.S. Patent Publication No. 2002/0024903. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Sato discusses an optical disk unit presets a value θ_1 which prescribes an optimum recording pulse width of a light source for a case where the optical disk is rotated at a predetermined linear velocity on a track located at a predetermined radial position on the optical disk.

On page 4 of the Office Action, it is asserted that Sato, Step S5 and ¶ 0060 disclose "a special OPC strategy for defining a waveform of the laser light used to calculate, at a first recording speed, an optimum laser power of the laser light for recording the information at a second recording speed different from the first recording speed," as in amended claim 1.

However, Sato merely discusses that (i) the optimum recording power P_{wo_8x} which is optimum for recording the data at the first recording speed (8xCLV) is determined by performing the

OPC at the first recording speed (8xCLV) with using the strategy (i.e. optimum recording pulse width $\theta_{_8x}$ and the optimum power ratio $\Delta P_{_8x}$), and then (ii) the optimum recording power $Pwo(v)$ which is optimum for recording the data at the second recording speed (8xCAV) by adding corrections dependent on the arbitrary linear velocity v with respect to the above $Pwo_{_8x}$, $\theta_{_8x}$ and $\Delta P_{_8x}$. Thus, the strategy of $\theta_{_8x}$ and $\Delta P_{_8x}$ discussed in Sato merely indicates the strategy for defining the wave form of the laser light used to calculate, at a first recording speed (8xCLV), an optimum laser power ($Pwo_{_8x}$) of the laser light for recording the information at a first recording speed (8xCLV), and does not indicate the special OPC strategy for defining the wave form of the laser light used to calculate, at a first recording speed (8xCLV), an optimum laser power ($Pwo_{_8x}$) of the laser light for recording the information at a second recording speed (8xCAV). In addition, in Sato, if some corrections (some processes) other than the OPC process is not performed, the optimum recording power $Pwo(v)$ which is optimum for recording the data at the second recording speed (8xCAV) cannot be calculated.

On the other hand, according to the invention disclosed in claim 1, by performing the OPC at the first recording speed with using the special OPC strategy, the optimum laser power of the laser light for recording the information at a second recording speed can be directly calculated without adding the corrections (i.e. without performing additional process other

than the OPC process).

Further, the special OPC strategy of claim 1 is used to calculate the optimum power and cannot be used to record the usual data. On the other hand, the strategy of $\theta_{_8x}$ and $\Delta P_{_8x}$ discussed in Sato are used to record the usual data at the recording speed of 8xCLV. In light of this difference, the strategy of $\theta_{_8x}$ and $\Delta P_{_8x}$ disclosed in Sato are absolutely different from the special OPC strategy of claim 1.

Claims 10, 12 and 14 recite similar features. For at least the reasons discussed above, claims 1, 10, 12 and 14, and the claims dependent therefrom are not anticipated by Sato.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 102. It is also submitted that claims 1-16 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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